United Nations S/AC.49/2018/81

Security Council

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24 May 2018

Original: English

Security Council Committee established pursuant to resolution 1718 (2006)

Letter dated 17 November 2017 from the Permanent Representative of Mongolia to the United Nations addressed to the Chair of the Committee

I have the honour to submit herewith the implementation report of the Government of Mongolia with regard to Security Council resolution 2371 (2017) (see annex).

I would kindly request you to issue it as a document of the Security Council.

(*Signed*) Sukhbold **Sukhee**
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of Mongolia to the United Nations

18-08476 (E) 080618

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Annex to the letter dated 17 November 2017 from the Permanent Representative of Mongolia to the United Nations addressed to the Chair of the Committee

Report of Mongolia on the implementation of Security Council resolution 2371 (2017)

Pursuant to paragraph 18 of Security Council resolution 2371 (2017), Mongolia hereby submits its report on the measures taken to implement the resolution.

1. Overview

Mongolia is committed to the nuclear-weapon-free world and has consistently been supporting every effort of the international community to promote the non-proliferation of nuclear weapons in all its aspects and towards achieving nuclear disarmament.

Mongolia has fully implemented its obligations under relevant Security Council resolutions on the Democratic People's Republic of Korea and submitted related reports (S/AC.49/2007/21, S/AC.49/2014/5, S/AC.49/2016/39, S/AC.49/2017/41 and S/AC.49/2017/158).

After its adoption by the Security Council, resolution 2371 (2017) was immediately circulated to all relevant ministries, agencies and organizations, which further disseminated the contents of the resolution to subsidiary bodies, entities and businesses.

The Standing Committee on Security and Foreign Policy Issues of the Parliament of Mongolia held a closed meeting on the implementation of Security Council resolutions 2371 (2017) and 2375 (2017) on 1 November 2017, giving specific instructions to the Government for their timely and effective implementation.

The Ministry of Foreign Affairs of Mongolia continues to be the Government entity responsible for the overall coordination of the implementation of the provisions of resolution 2371 (2017) and all other related Security Council resolutions on the Democratic People's Republic of Korea.

2. Implementation measures

Mongolia supports Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017) and 2375 (2017) on restrictive measures with regard to the Democratic People's Republic of Korea and is fully committed to their implementation. In addition to the information provided in the previous reports on the implementation of Security Council resolutions relating to the Democratic People's Republic of Korea, Mongolia hereby reports on some updates and the implementation of concrete provisions of resolution 2371 (2017), as set out below.

A. Designations (paragraph 3)

Relevant border control authorities have been informed of the provisions of resolution 2371 (2017) and of their obligations thereunder. No individual listed in annex I to resolution 2371 (2017) and the previous resolutions on the Democratic People's Republic of Korea for a travel ban has entered into or transited through the territory of Mongolia.

The Central Bank of Mongolia and the General Intelligence Agency have been informed of the provisions of resolution 2371 (2017), specifically of the names of

individuals and entities listed in annexes I and II to resolution 2371 (2017) regarding an asset freeze, and of their obligations thereunder. Relevant authorities continue to strictly monitor and ensure the implementation of the measures of Security Council resolutions regarding these individuals and entities.

B. Transportation (paragraphs 6 and 7)

Mongolia is a landlocked country. Currently, there are 341 foreign vessels carrying the Mongolian flag on the high seas. There had been some vessels from the Democratic People's Republic of Korea carrying the Mongolian flag, before Security Council resolutions 2270 (2016) and 2321 (2016) were adopted. Pursuant to paragraph 19 of Security Council resolution 2270 (2016), 17 vessels associated with the Democratic People's Republic of Korea were deregistered and their contracts were terminated in 2015–2016. Currently, there is no vessel of the Democratic People's Republic of Korea operating under the Mongolian flag.

C. Sectoral (paragraphs 8–11)

Relevant agencies and businesses of Mongolia have been informed of and updated on the new contents and measures regarding the export, import, transfer and inspection of goods. Mongolia's authorities have carried out thorough reviews and found no information on the procurement of the goods and items, including coal, iron, iron ore, seafood, lead and lead ore prohibited under paragraphs 8 to 10 of Security Council resolution 2371 (2017).

Relevant ministries and border control and customs authorities have been reminded of their obligations under Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017) and 2375 (2017), including those related to the inspection of all personal luggage and baggage of nationals of the Democratic People's Republic of Korea and others travelling to or from that country, as well as of cargo being sent to or from the country, or for which brokering or facilitation in provided by the Democratic People's Republic of Korea or its nationals, or by individuals or entities acting on their behalf, if they have information that provides reasonable grounds to believe that the cargo contains prohibited items. There has been no case registered in this regard.

Mongolia has been strictly complying with paragraph 11 of resolution 2371 (2017) regarding work authorizations for nationals of the Democratic People's Republic of Korea. Relevant ministries and authorities have been reminded of their obligations regarding work authorizations.

The total quota of work authorizations for nationals of the Democratic People's Republic of Korea has been continuously decreasing, standing at 2,338 in 2017 compared to 3,858 in 2015 and 2,483 in 2016. Although the total number of work authorization for workers from that country, set by the relevant government resolution, stands at 2,338 for 2017, as of 1 November 2017 the relevant authorities have granted work permits to only 1,221 nationals of the Democratic People's Republic of Korea. In addition, more than 200 workers from that country were expelled from Mongolia in 2016.

In August 2017, the Panel of Experts established pursuant to Security Council resolution 1874 (2009) requested Mongolia to provide information regarding the number of work authorizations granted to nationals of the Democratic People's Republic of Korea as at 5 August 2017. Relevant information was provided to the Panel.

D. Financial (paragraph 12)

The Mongolian National Chamber of Commerce and Industry was informed of the provisions regarding joint ventures and cooperative entities and requested to disseminate the contents of resolution 2371 (2017) to businesses.

There are 20 joint ventures and cooperative entities of the Democratic People's Republic of Korea operating in Mongolia. Since the adoption of resolution 2371 (2017), there has been no case of the opening of a new joint venture or cooperative entity, nor of the expansion of an existing joint venture through additional investments.

E. Political (paragraph 28)

In paragraph 28 of its resolution 2371 (2017), the Security Council welcomes efforts by Council members as well as other States to facilitate a peaceful and comprehensive solution through dialogue and stresses the importance of working to reduce tensions on the Korean Peninsula and beyond.

One of the priorities of Mongolian foreign policy is to be engaged in Asia-Pacific multilateral cooperation and to lend proactive support to the policies and activities aimed at strengthening strategic stability and security cooperation in East Asia, North-East Asia and Central Asia. Within this framework, Mongolia came forward in 2013 with the initiative of holding the "Ulaanbaatar Dialogue on Northeast Asian Security" and the fourth such international conference was successfully held on 15 and 16 June 2017 in Ulaanbaatar. If the previous three conferences were organized at the track 2 level, the 2017 conference was held at the track 1.5 level. Government representatives and academicians of Canada, China, the Democratic People's Republic of Korea, France, Germany, Japan, Mongolia, the Republic of Korea, the Russian Federation and the United States of America, as well as representatives of the Economic Research Institute for ASEAN and East Asia, the Economic Research Institute for Northeast Asia, the United Nations Environment Programme, the Department of Political Affairs of the Secretariat, the International Committee of the Red Cross and the Comprehensive Nuclear-Test-Ban Treaty Organization were among the participants in the conference.

The agenda of the fourth conference included not only security issues pertaining to North-East Asia but also potential projects in the energy, infrastructure and environmental sectors. Many interesting ideas and perspectives were expressed by the participants on the main topics of the conference. Presentations offered diverse analyses of the present situation in North-East Asia, its security environment, the strategic interests of relevant countries and perspectives for the future.

North-East Asia is the only subregion without any established mechanism for security cooperation. Therefore, it is of vital importance to encourage all relevant initiatives toward this end, while promoting a dialogue for peace, mutual understanding and confidence-building in the region.

Participants highlighted the importance of engagement during the conference, stressing that engagement should be an important prerequisite for any dialogue to succeed. In fact, the European Union Ambassador pointed out that "isolation is not a recipe for success". Mongolia supports the constructive engagement of all countries, including the Democratic People's Republic of Korea, in de-escalating the tension and resolving the outstanding issues.

The conference proved once again that the Ulaanbaatar Dialogue continues to enjoy broad support. For instance, as Noboru Miyawaki of Ritsumeikan University noted, the Ulaanbaatar Dialogue was the only setting that covered all the political

entities in North-East Asia. Indeed, Mongolia is the only country in the region that does not have any unresolved issues, be they territorial or political, with other countries in the region, or with any other country for that matter. Our aim is to provide a neutral ground for constructive dialogue and engagement.

The Government of Mongolia will continue its efforts to facilitate a peaceful and comprehensive solution through dialogue to reduce tensions on the Korean Peninsula and beyond, and will hold the fifth Ulaanbaatar Dialogue in 2018.

3. Conclusion

Mongolia stands committed to the implementation of the relevant Security Council resolutions and to cooperating closely with the Security Council Committee established pursuant to resolution 1718 (2006).

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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 24 May 2018 from the Permanent Mission of Lithuania to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Republic of Lithuania to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to submit herewith the report of the Republic of Lithuania on the implementation of resolution 2397 (2017) (see annex).

18-08606 (E) 080618

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Annex to the note verbale dated 24 May 2018 from the Permanent Mission of Lithuania to the United Nations addressed to the Chair of the Committee

Report of Lithuania on the implementation of Security Council resolution 2397 (2017)

Lithuania and the other States members of the European Union have jointly implemented the restrictive measures against the Democratic People's Republic of Korea imposed in Security Council resolution 2397 (2017) by taking the following common measures:[1]

Common measures

(a) Council Implementing Decision (CFSP) 2018/16 of 8 January 2018 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea, which implements the designation of additional persons and one additional entity under the travel ban and/or asset freeze;

(b) Council Implementing Regulation (EU) 2018/12 of 8 January 2018 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea, which gives effect to Council Implementing Decision (CFSP) 2018/16;

(c) Council Decision (CFSP) 2018/293 of 26 February 2018 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea, which sets out the commitment of the European Union to the implementation of the measures contained in Security Council resolution 2397 (2017) through the following:

(i) The European Union had already introduced a full prohibition on the export of crude oil in Council Decision (CFSP) 2017/1860 of 16 October 2017, with the possibility of exemptions for exports for humanitarian purposes if approved in advance, on a case-by-case basis, by the Committee. In Decision (CFSP) 2018/293, it is further specified that the prohibition applies to the direct or indirect supply of all crude oil to the Democratic People's Republic of Korea, whether or not originating in the territories of the member States, including by means of pipelines, rail lines or vehicles;

(ii) The European Union had already introduced a full prohibition on the export of all refined petroleum products in Council Decision (CFSP) 2017/1860, which provided that the export of refined petroleum products could be authorized by the competent authority of a member State for humanitarian purposes under the conditions mentioned in paragraph 14 of resolution 2375 (2017). In Decision (CFSP) 2018/293 it is now further specified that the amount of refined petroleum products authorized for export cannot exceed 500,000 barrels per year and that the means of export include pipelines, rail lines and vehicles;

(iii) Prohibition on importing food and agricultural products, machinery, electrical equipment, earth and stone (including magnesite and magnesia), wood and vessels;

(iv) Prohibition on the acquisition of fishing rights from the Democratic People's Republic of Korea;

[1] All common measures are published in the *Official Journal of the European Union*.

(v) Prohibition on exporting all industrial machinery, transportation vehicles, iron, steel and other metals, unless it has been determined by a member State that the provision of spare parts is needed to maintain the safe operation of passenger aircraft of the Democratic People's Republic of Korea;

(vi) Obligation to repatriate to the Democratic People's Republic of Korea immediately, and no later than 21 December 2019, all nationals of that country who are earning income in the jurisdiction of a member State and all government safety oversight attachés of the Democratic People's Republic of Korea monitoring its workers abroad, unless certain exceptions apply, subject to applicable national and international law;

(vii) Obligation for member States to seize, inspect and impound any vessel in their ports and the power to seize, inspect and impound any vessel subject to their jurisdiction in their territorial waters where there are reasonable grounds to believe that the vessel has been involved in activities, or in the transport of items, prohibited by the Security Council in its various resolutions on the Democratic People's Republic of Korea. Under certain conditions the provisions for the impounding of vessels shall cease to apply;

(viii) Obligation to cooperate as promptly as possible with another State which has information that leads it to suspect that the Democratic People's Republic of Korea is attempting to export illicit cargo and where that other State requests additional maritime and shipping information;

(ix) Prohibition on providing insurance or reinsurance services to vessels identified as being involved in activities, or in the transport of items, prohibited by the Security Council in its various resolutions on the Democratic People's Republic of Korea, unless the Committee has determined, on a case-by-case basis, that the vessel is engaged in activities only for livelihood or humanitarian purposes;

(x) Obligation to deregister any vessel where there are reasonable grounds to believe that the vessel has been involved in activities, or in the transport of items, prohibited by the Security Council in its various resolutions on the Democratic People's Republic of Korea;

(xi) Prohibition on providing classification services to vessels identified as being involved in activities, or in the transport of items, prohibited by the Security Council in its various resolutions on the Democratic People's Republic of Korea, unless approved in advance by the Committee, on a case-by-case basis;

(xii) Obligation not to register any vessel that has been deregistered by another State unless approved by the Committee in advance, on a case-by-case basis;

(xiii) The prohibition on exporting new or used vessels had already been introduced in Council Decision (CFSP) 2017/345;

(xiv) Obligation to seize and dispose of items the export of which is prohibited under resolution 2397 (2017);

(xv) Prohibition on satisfying any claim in connection with any contract or transaction of which the performance has been affected by the measures provided for in resolution 2397 (2017);

(d) Council Regulation (EU) 2018/285 of 26 February 2018 amending Council Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea, which gives effect to the measures set out in Council Decision (CFSP) 2018/293.

The above-mentioned Council Regulations are binding in their entirety and directly applicable in all States members of the European Union. Under Council Regulation (EU) 2017/1509, member States are required to determine the penalties applicable to infringements of their provisions. The penalties determined by Lithuania are set out in the following legislation:

(a) Law on the Approval and Entry into Force of the Criminal Code (No. VIII-1968, 26 September 2000, as amended)

(b) Law on the Approval, Entry into Force and Implementation of the Code of Administrative Offences (No. XII-1869, 25 June 2015, as amended)

Lithuania has adopted the following national legislation requiring an export authorization for the sale, supply, transfer or export of arms and related materiel to third countries and an authorization for the provision of brokering services and other services related to military activities, which, together with Council Decision (CFSP) 2016/849, provides the basis for enforcement of the arms embargo against the Democratic People's Republic of Korea and the ban on related brokering services:

(a) Law concerning Control of Import, Transit and Export of Strategic Goods and Technologies (No. I-1022, July 1995, as amended)

(b) Governmental Resolution No. 932 of 22 July 2004 on the Approval of Licensing Rules for Export, Import, Transit and Mediation of Strategic Goods and the Rules of Implementation for the Control of Strategic Goods (as amended)

Lithuania has adopted the following national legislation prohibiting the sale, supply, transfer or export of arms and related materiel to the Democratic People's Republic of Korea and the provision of brokering services and other services related to military activities:

(a) Governmental Resolution No. 237 of 1 March 2005 on the Approval of the List of the States to which the Export or Transit of the Goods Listed in the Common Military List Is Prohibited and for which Brokering in Negotiations and Transactions in the Goods Listed in the Common Military List Is Prohibited (as amended)

As regards restrictions on admission (visa ban), Lithuania has adopted the national entry-ban list, which, together with Council Decision (CFSP) 2016/849 and Regulation (EC) No. 539/2001, provides the basis for refusal of admission and denial of requests for a visa.

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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 29 May 2018 from the Permanent Mission of Norway to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Norway to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to transmit herewith information on the measures taken by the Government of Norway in accordance with Security Council resolution 2397 (2017), in particular paragraph 17 thereof, in which all States were called upon to report to the Council within 90 days of the adoption of the resolution, and thereafter upon request by the Committee, on concrete measures that they had taken in order to implement the provisions of the resolution effectively.

The Government of Norway would like to inform the Committee that Norway has revised its applicable national regulations in order to implement the provisions of the above-mentioned resolution. Most of the provisions of resolution 2397 (2017) are covered by the Norwegian Regulation on Sanctions and Restrictive Measures against North Korea of 15 December 2006 and subsequent updates thereto. That national legislation includes additional restrictive measures against North Korea adopted by the European Union that Norway has chosen to implement. To that end, Council Regulation (EU) 2017/1509 of 30 August 2017 has been made part of the national regulation, which was updated on 9 May 2018 in the light of the above-mentioned resolution. The following changes are highlighted:

- Prohibition on the acquisition of fishing rights from the Democratic People's Republic of Korea
- Prohibition on the import of food, agricultural products, machinery, electrical equipment, wood, vessels, earth and stone from the Democratic People's Republic of Korea
- Prohibition on the export of industrial machinery, transportation vehicles, iron, steel and other metals
- Prohibition on the export of refined petroleum products to the Democratic People's Republic of Korea
- Prohibition on the export of crude oil to the Democratic People's Republic of Korea

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- Prohibition on providing classification services, insurance or reinsurance services to vessels identified as being involved in prohibited activities
- Obligation to deregister any vessels identified as being involved in prohibited activities

The designation of persons and entities by the Security Council Committee established pursuant to resolution 1718 (2006) is automatically in force in Norway through a hyperlink to the Committee's sanctions list.

In addition to the Norwegian Regulation on Sanctions and Restrictive Measures against North Korea, some of the elements of the sanctions regime are covered by other legislation.

The arms embargoes imposed through Security Council resolutions are implemented at the national level by virtue of the Export Control Act and Export Control Regulations.

Regarding restrictions on admissions and/or travel restrictions, under Act No. 64 of 24 June 1988 concerning the entry of foreign nationals into the Kingdom of Norway and their presence in the realm (Immigration Act), the Norwegian Directorate of Immigration is instructed to prevent the entry into or transit through Norwegian territory of all persons who have been designated by the Security Council or the Committee. That legislation is also used when considering the repatriation of nationals of the Democratic People's Republic of Korea, and the relevant national authorities have been informed of the additional restrictions under resolution 2397 (2017) in that field.

The relevant authorities have been informed of their obligations in relation to the remaining measures prescribed under resolution 2397 (2017). Please be assured that Norway will take an active approach to ensuring the effective implementation of the provisions of resolutions.

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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 1 June 2018 from the Permanent Mission of Switzerland to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Switzerland to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to transmit the report prepared by Switzerland pursuant to Security Council resolution 2397 (2017) (see annex).

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Annex to the note verbale dated 1 June 2018 from the Permanent Mission of Switzerland to the United Nations addressed to the Chair of the Committee

Report of Switzerland concerning the implementation of Security Council resolution 2397 (2017)

In accordance with paragraph 17 of Security Council resolution 2397 (2017) of 22 December 2017, Switzerland has the honour to provide the following information to the Security Council Committee established pursuant to resolution 1718 (2006) with regard to the implementation of the measures set out in resolution 2397 (2017).

On 25 April 2018, with a view to implementing the United Nations sanctions laid down in resolution 2397 (2017), the Swiss Federal Council (the Government) amended the ordinance instituting measures against the Democratic People's Republic of Korea.[1] The ordinance is based on the Federal Act of 22 March 2002 on the implementation of international sanctions (Embargo Act[2]).

Implementation of Security Council resolution 2397 (2017)

Paragraph 3

Switzerland is implementing the provisions of paragraph 8, subparagraphs (d) and (e) of resolution 1718 (2006) through articles 2, 9 and 10 of the ordinance. On 4 March 2016, the Swiss Federal Council adopted an ordinance on the automatic application of Security Council sanctions lists. All changes to those lists are thus directly applicable in Switzerland. To date, articles 2, 9 and 10 of the ordinance have been applied against 82 individuals and 75 entities.

Paragraphs 4 and 5

Switzerland is implementing the sanctions envisaged in paragraph 26 of resolution 2321 (2016) and in paragraph 14 of resolution 2375 (2017) through article 7 of the ordinance. The Security Council set new limits for the export of refined petroleum products and crude oil in paragraphs 4 and 5 of resolution 2397 (2017). Switzerland has updated article 7 of the ordinance accordingly.

Paragraph 6

Under paragraph 6 of resolution 2397 (2017), the import of food and agricultural products, machinery, electrical equipment, earth and stone, wood and vessels originating from the Democratic People's Republic of Korea is prohibited.

Switzerland is implementing the provisions of paragraph 9 of resolution 2371 (2016) through article 7b of the ordinance. Food and agricultural products have been added to the list by means of an addendum to that article and included in annex 7 of the ordinance. Furthermore, under the same article, acceptance of fishing rights from the Democratic People's Republic of Korea is prohibited.

Under new article 7c of the ordinance, the acquisition, purchase, import, transit and transport of machinery, electrical equipment and vessels originating in the Democratic People's Republic of Korea, as listed in new annex 8 of the ordinance, are prohibited.

[1] Available at the following site: www.admin.ch/opc/fr/classified-compilation/20161091/index.html.
[2] Available at the following site: www.admin.ch/opc/fr/classified-compilation/20000358/index.html.

Earth, stone and wood have been added to the list of raw materials in annex 4 and are thus subject to the prohibitions in article 7, paragraph 1, of the ordinance.

Paragraph 7

Under new article 5a of the ordinance, the sale, supply, export, transit and transport to the Democratic People's Republic of Korea of the industrial machinery, metals and transportation vehicles specified in annex 2a are prohibited. Under the same article, there is an exception from this prohibition for commercial civilian aircraft.

Paragraph 8

The provisions of new article 2 (b) of the ordinance govern revocation of residence permits of nationals of the Democratic People's Republic of Korea who are earning income, and exemptions from this measure on the basis of national or international law.

Paragraph 9

Since Switzerland is a landlocked country, it has not implemented the measures for inspection and seizure of vessels.

Paragraph 10

Since article 7 of the Embargo Act provides for administrative and legal assistance between the Swiss authorities and foreign authorities, Switzerland is able to exchange information with other Member States. Inclusion in the ordinance of a provision concerning the implementation of paragraph 10 of resolution 2397 (2017) is therefore unnecessary.

Paragraph 11

Switzerland is implementing the provisions of paragraph 22 of resolution 2321 (2016) through article 15, paragraph 6 of the ordinance. New paragraph 6 bis of the same article prohibits the provision of insurance or re-insurance services to vessels if there are grounds to believe that they have transported goods whose sale, supply, export or transit violate the ordinance, or that they have been used for activities prohibited by the ordinance. Exceptions for subsistence purposes or on humanitarian grounds have been added in article 15, paragraph 7.

Paragraph 12

Switzerland has not implemented the provisions of paragraph 24 of resolution 2321 (2016) because such registrations do not exist in Switzerland and in any case, under existing legislation, would not be authorized. Paragraph 12 of resolution 2397 (2017) could theoretically apply to ships flying the Swiss flag. New paragraph 8 of article 15 of the ordinance therefore allows the Swiss Government to de-register vessels registered in Switzerland. Moreover, article 9b prohibits the registration in Switzerland of ships which have been de-registered by another State.

Paragraph 14

Switzerland is implementing the provisions of paragraph 30 of resolution 2321 (2016) through new article 5a of the ordinance. Used vessels newly falling under resolution 2397 (2017) are also covered by the prohibition of the sale, supply, export, transit and transport to the Democratic People's Republic of Korea of the

transportation vehicles listed in annex 2a of the ordinance. Any exceptions to this prohibition would be implemented through paragraph 3 of the same article.

Paragraph 15

Since Switzerland is a landlocked country, it has not implemented the measures set out in paragraph 15 of Security Council resolution 2397 (2017).

Paragraph 16

Switzerland is implementing the provisions of paragraph 8 of resolution 2371 (2017) and paragraph 18 of resolution 2375 (2017) through article 7, paragraph 2 of the ordinance.

Paragraph 18

The possibility of seizing items found during inspections whose supply, sale, transfer or export is prohibited by the relevant Security Council resolutions is already envisaged in article 17, paragraph 1, of the ordinance.

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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 5 June 2018 from the Permanent Mission of Estonia to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Estonia to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and hereby submits the report of Estonia on the implementation of the restrictive measures imposed by the Security Council in its resolution 2397 (2017) (see annex).

18-09201 (E) 130618

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Annex to the note verbale dated 5 June 2018 from the Permanent Mission of Estonia to the United Nations addressed to the Chair of the Committee

Report of Estonia on the implementation of Security Council resolution 2397 (2017)

Estonia and the other States members of the European Union have jointly implemented the restrictive measures against the Democratic People's Republic of Korea imposed by the Security Council in its resolution 2397 (2017) by adopting the following common measures:[1]

(a) Council Implementing Decision (CFSP) 2018/16 of 8 January 2018 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea, which implements the designation of additional persons and one additional entity under the travel ban and/or asset freeze;

(b) Council Implementing Regulation (EU) 2018/12 of 8 January 2018 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea, which gives effect to the measures set out in Council Implementing Decision (CFSP) 2018/16;

(c) Council Decision (CFSP) 2018/293 of 26 February 2018 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea, which sets out the commitment of the European Union to implementing Security Council resolution 2397 (2017) by imposing the following measures:

- The European Union had already introduced a full prohibition on the export of crude oil in Council Decision (CFSP) 2017/1860 of 16 October 2017, with the possibility of exemptions for exports for humanitarian purposes if approved in advance, on a case-by-case basis, by the Committee. In Decision (CFSP) 2018/293, it is further specified that the prohibition applies to the direct or indirect supply of all crude oil to the Democratic People's Republic of Korea, whether or not originating in the territories of the member States, including by means of pipelines, rail lines or vehicles;
- The European Union had already introduced a full prohibition on the export of all refined petroleum products in Decision (CFSP) 2017/1860, which included a provision that the export of refined petroleum products could be authorized by the competent authority of a member State for humanitarian purposes under the conditions mentioned in paragraph 14 of resolution 2375 (2017). In Council Decision (CFSP) 2018/293, it is now further specified that the amount of refined petroleum products authorized for export cannot exceed 500,000 barrels per year and that the means of export include pipelines, rail lines and vehicles;
- Prohibition on importing food and agricultural products, machinery, electrical equipment, earth and stone (including magnesite and magnesia), wood and vessels;
- Prohibition on the acquisition of fishing rights from the Democratic People's Republic of Korea;
- Prohibition on exporting all industrial machinery, transportation vehicles, iron, steel and other metals, unless it has been determined by a member State that the

[1] All common measures are published in the *Official Journal of the European Union*.

provision of spare parts is needed to maintain the safe operation of passenger aircraft of the Democratic People's Republic of Korea;

- Obligation to repatriate to the Democratic People's Republic of Korea immediately, and no later than 21 December 2019, all nationals of that country who are earning income in the jurisdiction of a member State and all government safety oversight attachés of the Democratic People's Republic of Korea who are monitoring its workers abroad, unless certain exceptions apply, subject to applicable national and international law;
- Obligation for member States to seize, inspect and impound any vessel in their ports and the power to seize, inspect and impound any vessel subject to their jurisdiction in their territorial waters where there are reasonable grounds to believe that the vessel has been involved in activities, or in the transport of items, prohibited by the Security Council in its various resolutions on the Democratic People's Republic of Korea. Under certain conditions, the provisions for the impounding of vessels shall cease to apply;
- Obligation to cooperate as promptly as possible with another State that has information leading to suspicion that the Democratic People's Republic of Korea is attempting to export illicit cargo and where that other State requests additional maritime and shipping information;
- Prohibition on providing insurance or reinsurance services to vessels identified as being involved in activities, or in the transport of items, prohibited by the Security Council in its various resolutions on the Democratic People's Republic of Korea, unless the Committee has determined, on a case-by-case basis, that the vessel is engaged in activities only for livelihood or humanitarian purposes;
- Obligation to deregister any vessel where there are reasonable grounds to believe that the vessel has been involved in activities, or in the transport of items, prohibited by the Security Council in its various resolutions on the Democratic People's Republic of Korea;
- Prohibition on providing classification services to vessels identified as being involved in activities, or in the transport of items, prohibited by the Security Council in its various resolutions on the Democratic People's Republic of Korea, unless approved in advance by the Committee on a case-by-case basis;
- Prohibition on registering any vessel that has been deregistered by another State unless approved by the Committee in advance, on a case-by-case basis;
- The prohibition on exporting new or used vessels had already been introduced in Council Decision (CFSP) 2017/345;
- Obligation to seize and dispose of items the export of which is prohibited under resolution 2397 (2017);
- Prohibition on satisfying any claim in connection with any contract or transaction the performance of which has been affected by the measures provided for in resolution 2397 (2017);

(d) Council Regulation (EU) 2018/285 of 26 February 2018 amending Council Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea, which gives effect to the measures set out in Council Decision (CFSP) 2018/293.

The above-mentioned Council Regulations are binding in their entirety and directly applicable in all States members of the European Union. Under Council Regulation (EU) 2017/1509 of 30 August 2017 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Regulation (EC)

No. 329/2007, member States are required to determine the penalties applicable to infringements of the provisions of the Regulations.

The penalties determined by Estonia are set out in the following legislation:

(a) Penal Code,[2] sections 93-1[3] (Failure to apply international sanctions), 421-1 (Illegal carriage of strategic goods or illegal provision of services relating to strategic goods) and 421-2 (Carriage of prohibited strategic goods or provision of services relating to prohibited strategic goods);

(b) International Sanctions Act, [4] sections 22 (Failure to notify of identification of subject of international financial sanction, of taking measures and submission of false information), 23 (Failure to establish procedural rules and procedure for supervision of fulfilment thereof) and 24 (Violation of obligation to preserve data).

Estonia has the following national legislation,[5] under which authorization is required for the sale, supply, transfer or export of arms and related materiel to third countries and for the provision of brokering services and other services related to military activities and which, together with Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP, provides the basis for the enforcement of the arms embargo against the Democratic People's Republic of Korea and the ban on related brokering services:

(a) Strategic Goods Act,[6] in particular section 13 (Application for licence);

(b) Minister for Foreign Affairs Regulation No. 6 of 27 December 2011 concerning the formats of licence applications;[7]

(c) Weapons Act.[8]

The same legislation also prohibits the sale, supply, transfer or export of arms and related materiel to the Democratic People's Republic of Korea and the provision of brokering services and other services related to military activities.[5]

With regard to restrictions on admission (visa ban), Estonia has enacted the following national legislation, which, together with Decision (CFSP) 2016/849 and Council Regulation (EC) No. 539/2001,[9] provides the basis for the refusal of admission and the denial of visa requests:

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[2] *Riigi Teataja*, RT I, 20 May 2016, 2 (latest English translation available at www.riigiteataja.ee/en/eli/ee/530052016001/consolide/current).

[3] Note that, in Estonian legislation, new provisions that were inserted in the act as the result of an amendment are usually indicated by an index number (in superscript) following the paragraph, section or subsection number (e.g., "section 93[1] of the Penal Code"). Another way of indicating new provisions is by inserting a hyphen after the paragraph, section or subsection number (e.g., "section 93-1 of the Penal Code"). Throughout the present document, the latter form is used, in order to avoid confusion with footnotes.

[4] *Riigi Teataja*, RT I 2010, 26, 129 (latest English translation available at www.riigiteataja.ee/en/eli/ee/528062017004/consolide/current).

[5] This legislation should apply to all goods included in the Common Military List of the European Union.

[6] *Riigi Teataja*, RT I, 12 March 2015, 48 (latest available English translation available at www.riigiteataja.ee/en/eli/501022016001/consolide).

[7] *Riigi Teataja*, RT I, 29 December 2011, 145 (no translation available).

[8] *Riigi Teataja*, RT I, 19 March 2015, 19 (latest available English translation available at www.riigiteataja.ee/en/eli/ee/502022016003/consolide/current).

[9] Regulation (EC) No. 539/2001 applies neither to Ireland nor to the United Kingdom.

(a) Obligation to Leave and Prohibition on Entry Act, [10] section 33-1 (Prohibition on entry arising from law or court judgment), paragraph 4;

(b) Government Regulation No. 182 of 27 May 2016 concerning the implementation of restrictive measures against the Democratic People's Republic of Korea.[11]

With regard to the prohibition on providing work authorizations for nationals of the Democratic People's Republic of Korea in the jurisdiction of member States in connection with admission to their territories and the obligation to repatriate to the Democratic People's Republic of Korea all nationals of that country who are earning income, the Government adopted Government Regulation No. 84 of 21 July 2016, [12] on the basis of sections 8 (1) and 9 (2) of the International Sanctions Act. The regulation prohibits the issuing of temporary residence permits for employment to nationals of the Democratic People's Republic of Korea. The Police and Border Guard Board has confirmed that, as of the date of reporting, there were no residence permits or temporary employment permits issued to nationals of the Democratic People's Republic of Korea.

In order to implement the United Nations sanctions listings without delay, the Government adopted Government Regulation No. 156 of 26 October 2017, [13] which provides the legal basis for the implementation of United Nations sanctions during times when the Council of the European Union has not yet updated its corresponding decisions and regulations.

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[10] *Riigi Teataja*, RT I, 6 April 2016, 22 (latest available English translation available at www.riigiteataja.ee/en/eli/ee/522042016003/consolide/current).

[11] *Riigi Teataja*, RT II, 31 May 2016, 2, 182 (no translation available).

[12] *Riigi Teataja*, RT I, 29 November 2017, 4, 84 (no translation available).

[13] *Riigi Teataja*, RT I, 31 October 2017, 10 (no translation available).

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Security Council

Distr.: General
6 June 2018

Original: English

Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 9 April 2018 from the Permanent Mission of Germany to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Germany to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to transmit herewith its report on the implementation of Security Council resolution 2397 (2017) in accordance with paragraph 17 of that resolution (see annex).

18-09441 (E) 140618

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Annex to the note verbale dated 9 April 2018 from the Permanent Mission of Germany to the United Nations addressed to the Chair of the Committee

Report of Germany on the implementation of Security Council resolution 2397 (2017)

Germany and the other States members of the European Union have jointly implemented the restrictive measures against the Democratic People's Republic of Korea imposed by the Security Council in its resolution 2397 (2017) by taking the following common measures:[1]

(a) Council Implementing Decision (CFSP) 2018/16 of 8 January 2018 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea, which implements the designation of additional persons and one additional entity (travel ban and/or asset freeze);

(b) Council Implementing Regulation (EU) 2018/12 of 8 January 2018 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea, which gives effect to the measures set out in Council Implementing Decision (CFSP) 2018/16;

(c) Council Decision (CFSP) 2018/293 of 26 February 2018 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea, which sets out the commitment of the European Union to implementing the measures contained in Security Council resolution 2397 (2017) by imposing the following measures:

(i) The European Union had already introduced a full prohibition on the export of crude oil in Council Decision (CFSP) 2017/1860 of 16 October 2017, with the possibility of exemptions for exports for humanitarian purposes if approved in advance, on a case-by-case basis, by the Committee. In Council Decision (CFSP) 2018/293, it is further specified that the prohibition applies to the direct or indirect supply of all crude oil to the Democratic People's Republic of Korea, whether or not originating in the territories of the member States, including by means of pipelines, rail lines or vehicles;

(ii) The European Union had already introduced a full prohibition on the export of all refined petroleum products in Council Decision (CFSP) 2017/1860, which included a provision that the export of refined petroleum products could be authorized by the competent authority of a member State for humanitarian purposes under the conditions mentioned in paragraph 14 of Security Council resolution 2375 (2017). In Council Decision (CFSP) 2018/293, it is now further specified that the amount of refined petroleum products authorized for export to the Democratic People's Republic of Korea cannot exceed 500,000 barrels per year and that the means of export include pipelines, rail lines or vehicles;

(iii) Prohibition on importing food and agricultural products, machinery, electrical equipment, earth and stone (including magnesite and magnesia), wood and vessels;

(iv) Prohibition on the acquisition of fishing rights from the Democratic People's Republic of Korea;

(v) Prohibition on exporting all industrial machinery, transportation vehicles, iron, steel and other metals, unless it has been determined by a member State

[1] All common measures are published in the *Official Journal of the European Union*.

that the provision of spare parts is needed to maintain the safe operation of passenger aircraft of the Democratic People's Republic of Korea;

(vi) Obligation to repatriate to the Democratic People's Republic of Korea immediately, and no later than 21 December 2019, all nationals of that country earning income in the jurisdiction of a member State and all government safety oversight attachés of the Democratic People's Republic of Korea who are monitoring its workers abroad, unless certain exceptions apply, subject to applicable national and international law;

(vii) Obligation for member States to seize, inspect and impound any vessel in their ports and the power to seize, inspect and impound any vessel subject to their jurisdiction in their territorial waters where there are reasonable grounds to believe that the vessel has been involved in activities, or in the transport of items, prohibited by the Security Council in its various resolutions on the Democratic People's Republic of Korea. Under certain conditions, the provisions for the impounding of vessels shall cease to apply;

(viii) Obligation to cooperate as promptly as possible with another State which has information that leads it to suspect that the Democratic People's Republic of Korea is attempting to export illicit cargo and where that other State requests additional maritime and shipping information;

(ix) Prohibition on providing insurance or reinsurance services to vessels identified as being involved in activities, or in the transport of items, prohibited by the Security Council in its various resolutions on the Democratic People's Republic of Korea, unless the Committee has determined, on a case-by-case basis, that the vessel is engaged in activities only for livelihood or humanitarian purposes;

(x) Obligation to deregister any vessel where there are reasonable grounds to believe that the vessel has been involved in activities, or in the transport of items, prohibited by the Security Council in its various resolutions on the Democratic People's Republic of Korea;

(xi) Prohibition on providing classification services to vessels identified as being involved in activities, or in the transport of items, prohibited by the Security Council in its various resolutions on the Democratic People's Republic of Korea, unless approved in advance by the Committee on a case-by-case basis;

(xii) Prohibition on registering any vessel that has been deregistered by another State unless approved by the Committee in advance on a case-by-case basis;

(xiii) The prohibition on exporting new or used vessels had already been introduced in Council Decision (CFSP) 2017/345;

(xiv) Obligation to seize and dispose of items the export of which is prohibited under resolution 2397 (2017);

(xv) Prohibition on satisfying any claim in connection with any contract or transaction the performance of which has been affected by the measures set out in resolution 2397 (2017);

(d) Council Regulation (EU) 2018/285 of 26 February 2018 amending Council Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea, which gives effect to the measures set out in Council Decision (CFSP) 2018/293.

The above-mentioned Council regulations are binding in their entirety and directly applicable in all States members of the European Union. Council Regulation

(EU) 2017/1509 requires member States to determine the penalties applicable to infringements of their provisions.

Germany has the following national legislation requiring an export authorization for the sale, supply, transfer or export of arms and related materiel to third countries and an authorization for the provision of brokering services and other services related to military activities, which, together with Council Decision (CFSP) 2016/849, provides the basis for the enforcement of the arms embargo against the Democratic People's Republic of Korea and the ban on related brokering services: Foreign Trade and Payments Ordinance (specifically its sect. 74 (1), item 5) prohibits the sale, export and transit of arms and related materiel. Section 75 (1), item 5, prohibits trafficking and brokering transactions relating to arms and related materiel that are directly or indirectly destined for persons, organizations or institutions in the Democratic People's Republic of Korea. Additionally, Germany has prohibited the import of banned goods from the Democratic People's Republic of Korea into Germany, as well as the transport of banned goods aboard a vessel or aircraft entitled to fly the German flag (sect. 77 (1), item 1, and 77 (2), of the Ordinance).

The penalties determined by Germany for any infringement of the sectoral trade embargo and the arms embargo against the Democratic People's Republic of Korea, as well as the ban on related brokering services, are set out in the following legislation: Foreign Trade and Payments Ordinance, especially sections 80 to 82 thereof, in conjunction with sections 17 to 19 of the Foreign Trade and Payments Act.

As regards restrictions on admission (visa ban), Germany has the following national legislation, which, together with Council Decision (CFSP) 2016/849 and Regulation (EC) No. 539/2001, provides the basis for the refusal of admission and the denial of requests for a visa: the general legislation of Germany on aliens, together with Council Decision 2013/183/CFSP and Regulations (EC) Nos. 539/2001 and 810/2009, which provide the basis for the refusal of admission and the denial of requests for a visa. The regulation requires nationals of the Democratic People's Republic of Korea to be in possession of a visa when entering the European Union. The travel restrictions are implemented through the visa application process.

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Security Council

Distr.: General
21 June 2018

Original: English

Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 19 June 2018 from the Permanent Mission of Turkey to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Turkey to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to inform the Committee of the measures taken by the Republic of Turkey to effectively implement Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017), 2375 (2017) and 2397 (2017).

Following the Prime Ministry's circular directives Nos. 2006/362006/36, 2016/112016/11 and 2017/9950 pertaining to the implementation of Security Council resolutions 1718 (2006), 1874 (2009), 2270 (2016) and 2321 (2016), the Council of Ministers of Turkey adopted, on 5 March 2018, decision No. 2018/11480.

As communicated earlier, Council of Ministers decision No. 2017/9950, adopted on 20 February 2017, was designed as a consolidated text that translates all actionable measures included in Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) and 2321 (2016). Decision No. 2018/11480 amends the Prime Ministry's previous circular directive No. 2017/9950 in accordance with the relevant Council resolutions adopted thereafter.

Decision No. 2018/11480 entered into force on 16 March 2018, upon its publication in the Official Gazette. Together with its annexes, it has thus become part of Turkish national law. The decision is transmitted herewith.*

In addition to the action taken through the adoption and implementation of that decision, the Government of Turkey has taken the following national steps within the context of the said Security Council resolutions:

- The Ministry of the Interior, under article 9 of Law No. 6458 on Foreigners and International Protection, has added the persons designated (for travel ban), set forth in resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016) and 2356 (2017), as "prohibited persons for public order and security" and has banned their entry into Turkey through the G-87 (general security) restriction code.

* The text of the decision is on file with the Secretariat and is available for consultation.

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- The Central Bank and its branches have taken note of the persons and entities designated (for asset freeze), have taken the precautions necessary to prevent business, including a correspondent bank relationship, with any bank in the Democratic People's Republic of Korea, and foreign currency transfer to the aforementioned country, and have briefed their employees on those measures. The Central Bank has also confirmed that there are no citizens of the Democratic People's Republic of Korea that hold a bank account with the Bank.

- The Banking Regulation and Supervision Agency has informed all banks operating in Turkey of the said measures.

- Vessels, identified as financial resources, have been registered to the automatic identification system of the Turkish Coast Guard Command.

- The Turkish Atomic Energy Authority has reported that no persons or entities residing in the Democratic People's Republic of Korea have applied for export permits and that it has noted the names of persons subject to the travel ban and the persons and entities subject to the asset freeze, to be taken into account in possible future export permit applications for sanctioned materials and parts that could have nuclear use.

- The Ministry of Customs and Trade has informed all its regional directorates of the said Security Council resolutions and has put a notification in the computerized electronic operating system for customs procedures that all transactions (export/import/transit/transfers) from/to the Democratic People's Republic of Korea are subject to Security Council sanctions.

- The Ministry of Labour and Social Security has reported that there are no citizens of the Democratic People's Republic of Korea authorized to work in Turkey.

Lastly, the Permanent Mission of Turkey wishes to reiterate that Turkey, as a member of all relevant control regimes, has in place all the tools necessary to effectively implement the aforementioned Security Council resolutions. Information on Turkey's implementation in relation to arms control, disarmament and non-proliferation can be found in the national reports of Turkey contained in documents S/AC.44/2004/(02)/63, S/AC.44/2004/(02)/63/Add.1 and S/AC.44/2007/21, as well as in matrix format, including updated information available on the official website of the Security Council Committee established pursuant to resolution 1540 (2004).

The information contained in the present note constitutes Turkey's national implementation report in accordance with paragraph 18 of resolution 2371 (2017) and paragraph 4 of resolution 2397 (2017).

The Permanent Mission of Turkey to the United Nations avails itself of this opportunity to renew to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) the assurances of its highest consideration.

United Nations S/AC.49/2018/88

Security Council

Distr.: General
28 June 2018
Original: English

Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 28 June 2018 from the Permanent Mission of Belgium to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Belgium to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and submits herewith the report of Belgium on the implementation of resolution 2397 (2017) on the Democratic People's Republic of Korea (see annex).

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Annex to the note verbale dated 28 June 2018 from the Permanent Mission of Belgium to the United Nations addressed to the Chair of the Committee

[Original: French]

Report of Belgium on implementation of Security Council resolution 2397 (2017)

Belgium has the honour to transmit to the Security Council Committee established pursuant to resolution 1718 (2006) its report on the implementation of resolution 2397 (2017).

I. Measures adopted by the European Union

Belgium and the European Union member States have jointly implemented the restrictive measures against the Democratic People's Republic of Korea imposed by the Security Council in its resolution 2397 (2017) by adopting the following common measures:

(a) Council Implementing Decision (CFSP) 2018/16 of 8 January 2018 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea, which implements the designation of additional persons and entities (travel bans and asset freezes);

(b) Council Implementing Regulation (EU) 2018/12 of 8 January 2018 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea, which gives effect to the measures set out in Council Implementing Decision (CFSP) 2018/16;

(c) Council Decision (CFSP) 2018/293 of 26 February 2018 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea.

The Council Decision sets out the commitment of the European Union to implement the measures contained in resolution 2397 (2017) in the following manner.

(i) By Council Decision (CFSP) 2017/1860 of 16 October 2017, the European Union had already adopted a complete ban on the export of crude oil, with the exception of humanitarian exports, approved by the Committee in advance on a case-by-case basis. In Council Decision (CFSP) 2018/293, it is further specified that the prohibition applies to the direct and indirect supply of all crude oil to the Democratic People's Republic of Korea, whether or not originating in the territories of the member States, including by means of pipelines, rail lines or vehicles;

(ii) The European Union had already introduced a full prohibition on the export of all refined petroleum products in Council Decision (CFSP) 2017/1860, which also included a provision that the export of refined petroleum products could be authorized by the competent authority of a member State for humanitarian purposes under the conditions mentioned in paragraph 14 of resolution 2375 (2017). In Council Decision (CFSP) 2018/293, it is now specified that the amount of refined petroleum products authorized for export cannot exceed 500,000 barrels per year and that such export include pipelines, rail lines and vehicles;

(iii) It is prohibited to import food and agricultural products, machinery, electrical equipment, earth and stone, including magnesite and magnesia, wood and vessels;

(iv) It is prohibited to acquire fishing rights from the Democratic People's Republic of Korea;

(v) It is prohibited to export all industrial machinery, transportation vehicles, iron, steel and other metals, unless it has been determined by a member State that the provision of spare parts is needed to maintain the safe operation of passenger aircraft of the Democratic People's Republic of Korea;

(vi) It is mandatory to repatriate immediately to the Democratic People's Republic of Korea all nationals of that country earning income in the jurisdiction of a member State, and all government safety oversight attachés of that country monitoring those nationals, by 21 December 2019 at the latest, unless certain exceptions apply, subject to applicable national and international law;

(vii) Member States have the obligation to seize, inspect and impound any vessel in their ports and have the power to seize, inspect and impound any vessel subject to their jurisdiction in their territorial waters where there are reasonable grounds to believe that the vessel has been involved in activities, or in the transport of items, prohibited by the Security Council in its various resolutions on the Democratic People's Republic of Korea. Under certain conditions, the provisions for the impounding of vessels shall cease to apply;

(viii) Member States of obliged to cooperate as promptly as possible with another State which has information that leads it to believe that the Democratic People's Republic of Korea is attempting to export illicit cargo and where that other State requests additional maritime and shipping information;

(ix) It is prohibited to provide insurance or reinsurance services to vessels identified as being involved in activities, or in the transport of items, prohibited by the Security Council in its various resolutions on the Democratic People's Republic of Korea, unless the Committee has determined, on a case-by-case basis, that the vessel is engaged in activities exclusively for livelihood or humanitarian purposes;

(x) It is mandatory to de-register any vessel when there are reasonable grounds to believe that it was involved in activities, or the transport of items, prohibited by the Security Council in its various resolution on the Democratic People's Republic of Korea;

(xi) It is prohibited to provide classification services to vessels identified as being involved in prohibited activities, or the transport of items, prohibited by the Security Council in its various resolutions on the Democratic People's Republic of Korea, unless prior authorization has been granted by the Sanctions Committee on a case-by-case basis;

(xii) It is prohibited to register a vessel that has been de-registered by another State, except as approved in advance by the Committee on a case-by-case basis;

(xiii) The prohibition on exporting new or used vessels had already been introduced in Council Decision (CFSP) 2017/345 of 27 February 2017;

(xiv) It is mandatory to seize and dispose of items whose export is prohibited under resolution 2397 (2017);

(xv) It is prohibited to satisfy any claim in connection with any contract or transaction of which the performance has been affected by the measures provided for in resolution 2397 (2017);

(d) Council Regulation (EU) 2018/285 of 26 February 2018 amending Council Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea, which gives effect to the measures set out in Council Decision (CFSP) 2018/293.

The above-mentioned Council regulations are binding in their entirety and directly applicable in all States members of the European Union. Under Council Regulation (EU) 2017/1509 of 30 August 2017, member States are required to determine the penalties applicable to infringements of their provisions.

II. National implementing measures

A. Non-proliferation and embargo on arms and related materiel

The following texts provide the legal basis for the implementation of these sanctions and penalties in Belgium:

(a) The decree-law of 6 October 1944 regulating all transfers of goods and assets between Belgium and foreign countries (amended most recently by the law of 28 February 2002);

(b) The law of 11 May 1995 on the implementation of United Nations Security Council decisions;

(c) The law of 13 May 2003 on the implementation of restrictive measures adopted by the Council of the European Union against States and certain individuals and entities.

Moreover, Belgium has legislation, at both the federal level and the level of the competent regional authorities, requiring that an export licence be obtained for any sale, supply, transfer or export of arms or materiel to third countries. This legislation provides the basis for the implementation of the arms embargo against the Democratic People's Republic of Korea and the prohibition on the provision of related services.

The law of 5 August 1991 on the import, export and transit of, and combating the traffic in, arms, munitions and equipment specifically intended for military use or for maintaining order, as well as related technology, as amended by the law of 26 March 2003, forbids any person residing in Belgium from undertaking any arms transaction without a licence issued for that purpose by the Minister of Justice. This law also provides that holders of such licences may not undertake any transaction that would violate an embargo decreed by an international organization of which Belgium is a member (articles 10 and 11).

The same law provides that any request for an export or transit licence must be denied if it is incompatible with the international obligations of Belgium and the commitments it has undertaken to implement the arms embargoes decreed by the United Nations, the Organization for Security and Cooperation in Europe and the European Union (article 4, paragraphs 1 and 2).

The competent regional authorities also have their own strict legal framework in this regard.

On the basis of Security Council resolution 1718 (2006) and subsequent resolutions, Council Decision (CFSP) 2016/849 of 27 May 2016 and Council Regulation (EU) No. 2017/1509, any request for a licence to export arms to the Democratic People's Republic of Korea would be denied.

With regard to the embargo on items, materials, equipment, goods and technology which could contribute to the nuclear-related, ballistic missile-related or

other weapons of mass destruction-related programmes of the Democratic People's Republic of Korea, Belgium adheres to the requirements of Council Regulation (EU) No. 2017/1509, which forbids:

(a) The sale, supply, transfer or export of goods, materials, equipment or technologies which could contribute to the nuclear-related, ballistic missile-related or other weapons of mass destruction-related programmes of the Democratic People's Republic of Korea;

(b) The purchase, import or transport of such items from the Democratic People's Republic of Korea;

(c) The provision of technical assistance, financing and financial assistance related to arms and to goods which could contribute to weapons of mass destruction-related programmes of the Democratic People's Republic of Korea;

(d) The procurement of such services from the Democratic People's Republic of Korea. These prohibitions apply directly to all activities carried out in the European Union and to the nationals of States members of the Union anywhere in the world.

The intangible transfer of technology poses a particular challenge in efforts to combat the proliferation of weapons of mass destruction. To reduce the risk of academic work, specialized training or scientific cooperation being used for proliferation purposes, the Belgian authorities have carried out awareness-raising activities at universities and scientific institutes. These activities provide an opportunity to make stakeholders aware of the various risks of proliferation and to explain export control procedures, particularly those applicable to dual-use products or technology. The Federal Public Service for Justice has also produced a pamphlet on the risks associated with the intangible transfer of technology. In addition, the competent services screen visa applications for connections to specialized teaching or training.

B. Sectoral

The Customs and Excise Administration has established the necessary procedures for proper implementation of the current provisions of the sanctions regime applicable to the Democratic People's Republic of Korea. The import, export and transit of goods and related technology are regulated by the law of 11 September 1962, as amended, which provides for prior authorization in the form of a licensing regime. Violations and attempted violations of this law are penalized in accordance with the general law on customs and excise of 18 July 1977. Compliance with measures prohibiting or restricting imports and exports is also monitored through the Integrated Tariff of the European Union. This is a common system for coding and classifying goods, which details the steps to be taken by parties importing goods to or exporting them from the European Union.

C. Employment of nationals of the Democratic People's Republic of Korea in Belgium

As at 1 June 2018, there were 43 nationals of the Democratic People's Republic of Korea in Belgium. None had a work permit or a professional card in Belgium or otherwise met the conditions for repatriation set out in paragraph 8 of resolution 2397 (2017).

D. Maritime interdiction of cargo vessels

Mechanisms have been established to identify vessels with links to the Democratic People's Republic of Korea so that they may be inspected.

In addition to imposing restrictive measures, the Federal Public Service Mobility and Transport of Belgium has approached Belgian owners of vessels to raise their awareness regarding proper implementation of the sanctions adopted by the Security Council.

E. Designations

With regard to the freeze on financial assets and economic resources and the prohibition on providing funds, article 34 of Council Regulation (EU) No. 2017/1509 is being implemented. It imposes a freeze and a prohibition on providing economic resources to the individuals and entities referred to in paragraph 3 of resolution 2397 (2017). In addition to the freeze instituted under Regulation (EU) No. 2017/1509, article 1/1 of the law of 11 May 1995 — added by the law of 8 January 2016 and in force since 8 January 2018 — allows the Minister of Finance to take interim freeze measures through a ministerial order in the case of additions to the lists of individuals and entities targeted by the Security Council that have not yet been covered under European regulations, in order to prevent any delay in the implementation of such measures.

This is the background to the ministerial order of 9 January 2018 on freezing the assets and other financial means specified under article 1/1 of the law of 11 May 1995, pursuant to the resolutions on restrictive measures against the Democratic People's Republic of Korea, in order to freeze the assets and other financial means of persons, entities or groups added to the lists of persons, entities or groups subject to the restrictive measures against the Democratic People's Republic of Korea under resolution 2397 (2017). To date, no asset freeze proceedings have had to be carried out in Belgium to implement Security Council resolutions concerning the Democratic People's Republic of Korea.

With regard to the restrictions on entry to Belgian territory and on visa issuance, Council Decision (CFSP) 2018/293 updated the list of individuals (in respect of whom the States members of the European Union must take the necessary steps to prevent entry to or transit through their territory), found in annex I of Decision (CFSP) 2016/849, to include or remove the names of the individuals listed in annex I of Security Council resolution 2397 (2017). Individuals subject to a travel ban, whether applied at the level of the United Nations or that of the European Union, have been added to, or, where applicable, deleted from, the database of the Belgian computer program used to process visa applications. If an applicant matches an individual or an alias in the database, the application in question is automatically forwarded to the competent national authority for denial.